MONDAY, MARCH 2, 1981 FIFTEENTH LEGISLATIVE DAY

The House met at 6:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Brother Hugh Fulford, Fairlane Church of Christ, Shelbyville, Tennessee.

Representative Phillips led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present	. 93
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Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

The Speaker announced that Representative Robertson was excused awaiting the arrival of the stork!

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 198, 255, 312, 365, 467, 469, 585, 588 and 628; and House Joint Resolution No. 29; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND, Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 198, 255, 312, 365, 467, 469, 585, 588 and 628; and House Joint Resolution No. 29.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, March 2, 1981: House Joint Resolutions Nos. 90, 92, 94, House Bills Nos. 61, 110, 458, 562, 692, 740, 745, 746, 747, 754, 789, 790, 849, 884, 906 and 941.

GILL, Chairman.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolution No. 47 without his signature.

JULIA GIBBONS, Counsel to the Governor.

Dear Speaker McWherter,

I am returning House Joint Resolution No. 47 without my signature. This resolution designates the Comptroller's Office of Local Government as "the official recipient" of certain census maps from the U. S. Bureau of the Census.

Pursuant to Public Law 94-171, last year I designated the Office of State Planning as the recipient of all official census information to which the Governor is entitled. I instructed the Office of State Planning to make that information available to other interested parties.

In that the Office of State Planning is already the designated recipient, to designate by resolution the Comptroller's Office as "the official recipient" of the maps in question would cause unnecessary confusion.

In addition to this original concern about the resolution, I should also note that the Office of State Planning has already received the maps in question. They will of course be made available to interested parties.

Sincerely,

Lamar Alexander

House Joint Resolution No. 47 becomes effective without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

CALENDAR

House Bill No. 161—To regulate publications, resolutions.

Mr. Bragg moved that House Bill No. 161 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	
Noes	

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark

(Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 376—To regulate terms, advisory commission on intergovernmental relations.

Mr. Bragg moved that House Bill No. 376 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	
Noes	

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

House Bill No. 543—To make certain provisions, legislative committee meetings.

Mr. Bragg moved that House Bill No. 543 be passed on third and final consideration, which motion prevailed by the following vote:

/es	5
Des	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling,

Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

House Bill No. 151-To provide for professional leave, state employees.

Mr. Rhinehart moved that House Bill No. 151 be passed on third and final consideration.

Mr Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 151 by deleting subsection (b) of Section 1.

On motion, the amendment was adopted.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 151 by deleting Section 1 in its entirety and by substituting in lieu thereof:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 50, is amended by adding thereto the following new section:

Subject to the limitations hereinafter established, an officer or an employee who belongs to any employee association which is qualified for payroll deduction for association dues as set forth in Tennessee Code Annotated, Section 8-23-204, shall be entitled to use two (2) days of their accrued annual leave pursuant to Tennessee Code Annotated, Section 8-50-101, each year to attend a statewide meeting, conference or convention of the association. The total number of officers or employees entitled to such annual leave shall not exceed five percent (5%) of the total number of employees who are members of the association according to the latest certification of the chief administrative officer made to the Commissioner of Finance and Administration as required by Tennessee Code Annotated, Section 8-23-204. Each such association may determine the method of allocating such leave among its members and shall, not more than thirty (30) nor less than fifteen (15) days prior to the date such leave is to be taken, certify to the Commissioner of Personnel the names of each person and that person's alternates who have been selected by the association as being entitled to such annual leave to attend the statewide meeting, conference or convention.

On motion, the amendment was adopted.

Mr. Stafford moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 151 as follows:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 50, is amended by adding thereto the following new section:

(b) An employee meeting the provisions of Section 1 (a) shall be granted absence from work with pay based upon his accrued annual leave, the time and amount of absence to be approved at the discretion of the head of the department or agency.

Mr. Lashlee moved that the Amendment No. 3 be tabled, which motion failed by the following vote:

Ayes	2
Noes	1
Present and not voting	

Representatives voting aye were: Bell (Wilson), Burnett, Clark (Davidson), Covington, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Ellis, Hillis, Jared, Jones, Kernell, King (Washington), Lashlee, McKinney, Miller, Murphy (Davidson), Murray, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Spence, Stallings, Starnes, Wheeler, Work and Mr. Speaker McWherter—32.

Representatives voting no were: Akard, Baker, Bell (Knox), Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Carter, Chiles, Clark (Sumner), Copeland, Crain, Davis (Gibson), Dills, Duer, Duncan, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Johnson, Kelley, Kent, McAfee, McNally, Martin, Montgomery, Moore, Naifeh, Percy, Richardson, Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stafford, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Wix, Wolfe. Wood and Yelton —57.

Representative present and not voting was: Owen-1.

Thereupon, Amendment No. 3 was adopted by the following vote:

Aves	

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Bivens, Bragg, Buck, Carter, Chiles, Clark (Sumner), Copeland, Crain, Davis (Gibson), Dills, Duer, Duncan, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hudson, Huskey, Johnson, Jones, Kelley, Kent, McAfee, McNally, Martin, Montgomery, Moore, Naifeh, Percy, Richardson, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Stafford, Sterling, Tanner, Ussery, Wallace, Webb, Whitson, Withers, Wix, Wolfe, Wood and Yelton—55.

Representatives voting no were: Bell (Wilson), Brewer, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Ellis, Hillis, Hurley, Jared, Kernell, King (Washington), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Spence, Starnes, Wheeler, Work and Mr. Speaker McWherter—39.

Mr. Rhinehart moved that House Bill No. 151 be placed on the Calendar for Wednesday, March 4, 1981, which motion prevailed.

House Bill No. 578—To enact the Bank Customer Dispute Resolution Act of 1981.

On motion, House Bill No. 578 was made to conform with Senate Bill No. 215.

On motion, Senate Bill No. 215, on same subject, was substituted for House Bill No. 578.

Mr. Webb moved that Senate Bill No. 215 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

Representative voting no was: Murphy (Shelby)-1.

A motion to reconsider was tabled.

House Bill No. 579-To amend Section 45-1-108, Code.

On motion, House Bill No. 579 was made to conform with Senate Bill No. 214.

On motion, Senate Bill No. 214, on same subject, was substituted for House Bill No. 579.

Mr. Webb moved that Senate Bill No. 214 be passed on third and final consideration, which motion prevailed by the following vote:

yes	į
oes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

Representative voting no was: Crain-1.

A motion to reconsider was tabled.

House Bill No. 387—To require general assembly be apprised of certain law suits.

Mr. Cobb moved that House Bill No. 387 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamil-

ton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

House Bill No. 392-To regulate criminal injuries compensation fund and program.

Mr. Cobb moved that House Bill No. 392 be passed on third and final consideration, which motion prevailed by the following vote:

yes	95
oes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

House Bill No. 393-To define and provide remedies, commercial bribery.

Mr. Cobb moved that House Bill No. 393 be passed on third and final consideration, which motion prevailed by the following vote:

Aves	 5
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Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

House Bill No. 396—To amend Limited Guardianship Proceedings for Disabled Persons Law.

Mr. Cobb moved that House Bill No. 396 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes) 5
riyes	Λ
Noes	U

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

House Bill No. 403-To make certain provisions support of spouses.

On motion, House Bill No. 403 was made to conform with Senate Bill No. 127.

On motion, Senate Bill No. 127, on same subject, was substituted for House Bill No. 403.

Mr. Cobb moved that Senate Bill No. 127 be passed on third and final consideration, which motion prevailed by the following vote:

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Aves	
11,00	٥
Noes	

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

House Bill No. 405-To lower age limitation, juvenile court jurisdiction.

Mr. Cobb moved that House Bill No. 405 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	5
Liyes	Λ
Noes	υ

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Joint Resolution No. 90-Relative to honoring Ruth Trotter.

House Joint Resolution No. 92-Relative to honoring Z. D. Atkins.

House Joint Resolution No. 94-Relative to honoring Dr. W. J. Johnson.

House Bill No. 61-To increase salary, staff on road superintendent Claiborne County.

House Bill No. 110—To amend purchasing law, Sumner County.

House Bill No. 458-To amend Charter, Signal Mountain.

House Bill No. 562-To provide for Superintendent of Education, Anderson County.

House Bill No. 692-To establish litigation tax, Houston County.

House Bill No. 740—To amend Chapter 320, Private Acts, 1974.

House Bill No. 745—To provide for certain distress warrants, Monroe County.

House Bill No. 746—To levy privilege tax, lodgings, Monroe County.

House Bill No. 747—To amend Chapter 162, Private Acts, 1978.

House Bill No. 754—To provide wheel tax, Obion County.

House Bill No. 789—To amend Charter, Kingsport.

House Bill No. 790-To levy tax on lodging, Kingsport.

House Bill No. 849-To regulate assessment and collection of taxes, Lynchburg.

House Bill No. 884-To amend Chapter 319, Private Acts, 1968.

House Bill No. 906-To regulate beer consumption, Obion County.

House Bill No. 941-To amend Shelby County Restructuring Act.

Mr. Gill moved that all House Bills on the Consent Calendar be passed on third and

final consideration, and all House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes	 96

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

A motion to reconsider was tabled.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 42-Relative to congratulating Cora Quillen.

Under the rules, Senate Joint Resolution No. 42 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 43—Relative to sympathy, Kathryn Brown Earhart.

Under the rules, Senate Joint Resolution No. 43 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 45—Relative to commending Medina Lions Club.

Under the rules, Senate Joint Resolution No. 45 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 47-Relative to honoring James W. Livesay.

Under the rules, Senate Joint Resolution No. 47 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 49-Relative to commending Judge Joseph J. Nigro.

Under the rules, Senate Joint Resolution No. 49 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 51—Relative to memory, Stanley Fitzgerald Horn.

Under the rules, Senate Joint Resolution No. 51 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 57-Relative to sympathy, Carlos C. Vinson.

Under the rules, Senate Joint Resolution No. 57 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 60—Relative to commending Samuel Edward Wasson, Jr.

Under the rules, Senate Joint Resolution No. 60 was referred to the Committee on Calendar and Rules.

Mr. Webb moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 102 out of order, which motion prevailed.

House Joint Resolution No. 102—Relative to honoring the Daily Post-Athenian—By Webb, Duer, Harrill, Wood and Starnes.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Webb, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Hillis moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 106 out of order, which motion prevailed.

House Joint Resolution No. 106—Relative to supporting "Remember America's Veterans"—By Hillis, Moore, Yelton, Lashlee, Hurley, Shockley, Miller and Carter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Hillis, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Lashlee moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 108 out of order, which motion prevailed.

House Joint Resolution No. 108—Relative to requesting retraction, "The Commercial Appeal"—By Lashlee, Stallings, Naifeh, Wallace, Tanner, Kelley, Davis (Gibson), Crain and Dills.

On motion, the rules were suspended for the immediate consideration of the resolution.

Mr. Lashlee moved that House Joint Resolution No. 108 be adopted, which motion prevailed by the following vote:

Ayes	52
Noes	5
Present and not voting	94

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bivens, Buck, Byrd, Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Duer, Ellis, Ford, Frensley, Harrill, Henry (Roane), Hillis, Huskey, Jared, Johnson, Kelley, Lashlee, McKinney, McNally, Murray, Naifeh, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shirley, Small, Spence, Stallings, Sterling, Tanner, Turner, Wallace, Wheeler, Withers, Wix, Wolfe, Work, Yelton and Mr. Speaker McWherter—52.

Representatives voting no were: Chiles, Gaia, Hurley, King (Washington) and Robinson (Washington)-5.

Representatives present and not voting were: Bewley, Bragg, Brewer, Burnett, Disspayne, Duncan, Gill, Hudson, Jones, Kent, Martin, Miller, Montgomery, Moore, Murphy

(Davidson), Owen, Percy, Pruitt, Severance, Shockley, Ussery, Webb, Whitson and Wood-24.

A motion to reconsider was tabled.

Mr. Byrd moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 104 out of order, which motion prevailed.

House Joint Resolution No. 104—Relative to recognizing anniversary, U.S. Copyright Act—By Byrd.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Byrd, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Turner moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 105 out of order, which motion prevailed.

House Joint Resolution No. 105—Relative to honoring Jerry L. Glisson—By Turner.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Turner, the resolution was adopted.

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 99—Relative to continuing study, vocational education— By Starnes.

The Speaker referred House Joint Resolution No. 99 to the Committee on Education.

 $House Joint \, Resolution \, No. \, 100-Relative \, to \, study, central \, cancer \, registry \, project-By \, Starnes.$

The Speaker referred House Joint Resolution No. 100 to the Committee on General Welfare.

House Joint Resolution No. 103—Relative to honoring James and Jean Mynatt—By Bell (Knox) and Miller.

Under the rules, House Joint Resolution No. 103 was referred to the Committee on Calendar and Rules.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley,

Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

INTRODUCTION OF BILLS

House Bill No. 1038-To amend Title 70, Chapter 13, Code-By Dills.

Passed first consideration.

House Bill No. 1039—To authorize Manchester to levy privilege tax—By Johnson.

Passed first consideration.

House Bill No. 1040—To amend Title 29, Chapter 34, Code—By Turner.

Passed first consideration.

House Bill No. 1041—To provide penalty for false information, law officer—By Turner.

Passed first consideration.

House Bill No. 1042-To amend Chapter 132, Private Acts, 1969-By Davidson.

Passed first consideration.

House Bill No. 1043—To set salaries, constitutional offices—By Rhinehart, Robinson (Davidson), Bell (Wilson), Withers, Byrd, Ellis, Moore, Davis (Hamilton), Murphy (Davidson), Stallings, Gaia, Wix, Henry (Blount), Love, Kernell, Crain, Spence, King (Shelby), Pickering, Buck, Gill, DePriest, McAfee, Murphy (Shelby), King (Washington), Covington, Tanner, Bivens, Richardson, Work, Hillis, Davis (Pickett), Kent, Wheeler, Robinson (Hamilton), Phillips, DeBerry, Jared, Dills, Cobb, Kelley, Yelton, Disspayne, Pruitt, Miller, Naifeh, Davidson, Starnes, Owen, Clark (Davidson) and McNally.

Passed first consideration.

House Bill No. 1044—To equalize salaries of the Constitutional Officers—By Robinson (Davidson), Rhinehart, Bell (Wilson), Withers, Byrd, Ellis, Moore, King (Shelby), Davis (Gibson), Murphy (Davidson), Turner, Gaia, Wix, Robinson (Hamilton), Johnson, Kent, Kernell, Bragg, Davis (Hamilton), Spence, Pickering, Buck, Gill, DePriest, McAfee, Henry (Blount), Covington, Brewer, Murphy (Shelby), Tanner, Stallings, Bivens, Richardson, Work, Hillis, Davis (Pickett), Severance, Akard, Wheeler, Phillips, Dills, Kelley, Cobb, Chiles, Percy, Wolfe, Love, DeBerry, Yelton, Jared, Disspayne, Webb, Harrill, Pruitt, Davidson, Shirley, Lashlee, Miller, Naifeh, Starnes, Clark (Davidson) and McNally.

Passed first consideration.

House Bill No. 1045—To increase fee, marriage licenses, Humphreys County—By Pickering and Work.

Passed first consideration.

House Bill No. 1046—To regulate employees contributions, retirement system—By Copeland.

Passed first consideration.

House Bill No. 1047—To amend Corporate Gross Receipts Tax—By Copeland.

Passed first consideration.

House Bill No. 1048—To amend Title 52, Chapter 2, Code—By Pickering and DePriest.

Passed first consideration.

House Bill No. 1049—To regulate Motor Vehicle Fuel Use Tax—By Davis (Gibson), Pickering, DePriest and Davidson.

Passed first consideration.

House Bill No. 1050—To prohibit sale of Beverages, nonreturnable glass containers— By Frensley, Buck, Small, Pickering, Cobb, Work, DePriest, Davidson, McNally, Richardson, Yelton, Davis (Pickett), Duer, Duncan and Henry (Roane).

Passed first consideration.

House Bill No. 1051—To provide director, air pollution control program—By Scruggs, Miller, Bell (Knox), Smith, Severance, Hudson and Owen.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 49-To regulate longevity pay, certain state personnel.

Passed first consideration.

Senate Bill No. 75-To amend Sections 37-207 and 37-217, Code.

Passed first consideration.

Senate Bill No. 155-To transfer responsibility, hotel, restaurant inspections.

Passed first consideration.

Senate Bill No. 258-To regulate Wildlife Resources Commission.

Passed first consideration.

Senate Bill No. 270-To amend Section 50-1324, Code.

Passed first consideration.

Senate Bill No. 375—To amend Title 62, Chapter 3, Code.

Passed first consideration.

Senate Bill No. 568-To regulate Board of Claims.

Passed first consideration.

Senate Bill No. 580-To recognize procelain painting as fine art.

Passed first consideration.

Senate Bill No. 727-To create "Presidential Landmark Commission Act".

Passed first consideration

Senate Bill No. 747-To amend Chapter 54, Title 7, Code.

Passed first consideration.

SENATE BILLS ON SECOND CONSIDERATION

Senate Bill No. 425—To regulate compensation, Commissioners of the Poor, certain counties.

Passed second consideration and held without reference.

Senate Bill No. 973-To regulate air pollution control program, Knox County.

Passed second consideration and held without reference.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1004-To define certain racketerring activities.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1005-To regulate sale of property, certain governmental entities.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1006-To amend Title 56, Code.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1007-To set certain hotel and restaurant fees.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1008—To define "handicapped child".

Passed second consideration and referred to Committee on Education.

House Bill No. 1009-To increase rate of gasoline tax.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1010-To provide cash bond required to surface mine.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 1011-To regulate Board of Reclamation Review.

 ${\bf Passed\ second\ consideration\ and\ referred\ to\ Committee\ on\ Conservation\ and\ Environment.}$

House Bill No. 1012-To amend Home Mortgage Act.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1013-To provide jury trials, request of governmental entity.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1014-To require sale, motor wreckage to licensed recyclers.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1015-To make certain provisions, bonds of counties.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1016-To make certain provisions, bonds of municipalities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1017—To amend municipal Zoning Regulations.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1018-To make certain provisions, bail.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1019—To regulate health maintenance organizations.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1020-To provide for litigation tax, Dickson County.

Passed second consideration and held without reference.

House Bill No. 1021-To amend Governmental Tort Liability Act.

Passed second consideration and referred to Committee on Judiciary.

House Bill No. 1022-To rename "Town of Ripley".

Passed second consideration and held without reference.

House Bill No. 1023—To establish Gibson County Special School District.

Passed second consideration and referred to Committee on Education.

House Bill No. 1024—To regulate airport property, certain counties.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1025—To grant certain power, director of regulatory boards.

Passed second consideration and referred to Committee on Commerce.

House Bill No. 1026-To enact the "Conservation Easement Act".

 $Passed\ second\ consideration\ and\ referred\ to\ Committee\ on\ Conservation\ and\ Environment.$

House Bill No. 1027—To regulate waste management.

 $Passed\ second\ consideration\ and\ referred\ to\ Committee\ on\ Conservation\ and\ Environment.$

House Bill No. 1028-To regulate advertising, space leased by state.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1029-To levy tax on lodging, Kimball.

Passed second consideration and held without reference.

House Bill No. 1030-To increase fees, pharmacists.

Passed second consideration and referred to Committee on General Welfare.

House Bill No. 1031-To make certain provisions, bonds of utility districts.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1032—To provide for installment bonds of municipalities.

Passed second consideration and referred to Committee on Finance, Ways and Means.

House Bill No. 1033-To enact Agricultural Development Corporation Act.

Passed second consideration and referred to Committee on Agriculture.

House Bill No. 1034—To establish fund, certain criminal investigations.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1035-To make certain provisions, diesel fuel.

Passed second consideration and referred to Committee on Agriculture.

House Bill No. 1036-To regulate board of polygraph examiners.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1037-To amend Consumer Protection Act.

Passed second consideration and referred to Committee on Labor and Consumer Affairs.

SELECT COMMITTEE REPORT FILED

The Speaker announced that pursuant to House Joint Resolution No. 242, the Report of the Joint Committee to study Water Policy had been filed with the Clerk's Office by Representative Bill Carter, Chairman of the Committee.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 48, 60, 127, 185 and 270, and House Joint Resolutions Nos. 9, 12, 13, 14, 16, 17, 19, 20, 21, 22, 23, 24, 25, 27, 28, 31,

32, 33, 34, 38, 39, 40, 45, 48, 49, 50, 51, 53, 54, 56, 61, 65, 67, 70 and 73, with his approval.

JULIA GIBBONS, Counsel to the Governor.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, March 4, 1981: House Bills Nos. 319, 378, 415, 417, 67, 530, 51, 47, 102, 425, 334, 430, 152, 181, 205, 296, 317, 318 and 302.

GILL. Chairman.

LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 616, 975, 977, 978, 979, 980 and 991.

Mr. Withers asked to be recorded as voting "aye" on all the bills on tonight's Calendar.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 392-Owen

House Bill No. 434-Wallace (co-prime)

House Bill No. 640-Crain

MOTIONS

On motion of Mr. Kelley, House Bill No. 751 was recalled from the Committee on State and Local Government.

On motion of Mr. Kelley, House Bill No. 751 was withdrawn from the House.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

75—To provide method of selecting jurors; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 15, 29, 52, 197, 198, 210, 255, 312, 345, 365, 467, 469, 585, 588, 628 and 637; also, House Joint Resolutions Nos. 29, 71, 74 and 91; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

137-To amend Section 39-2404(i), Code:

401-To regulate disposal, textbooks;

487-To amend Section 8-38-125, Code:

544-To regulate specifications, certain items, competitive bidding;

704-To amend Title 54, Chapter 17, Code;

725—To abolish Consumer Advisory Board;

750-To regulate practice of dentistry;

754—To amend Sections 59-8-318 (c) and 59-8-320 (c) (2), Code;

761-To amend Section 8-36-811, Code:

762-To amend Section 49-3237, Code; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.

19—Relative to study, distribution, food commodities;

36-Relative to approving amendments, revisions, Rules of Appellate Procedure;

63-Relative to adopting official salute, flag of Tennessee; adopted for conucurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

98-Relative to designating "Future Farmers of America Week";

101—Relative to congratulating Representative Jim Henry; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 61, 110, 161, 376, 387, 392, 393, 396, 405, 458, 543, 562, 692, 740, 745, 746, 747,

. 754, 789, 790, 849, 884, 906 and 941; and House Joint Resolutions Nos. 90, 92, 94, 102, 104, 105, 106 and 108; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND, Chief Engrossing Clerk.

On motion of Mr. Burnett, the House adjourned until 1:30 p.m. Wednesday, March 4, 1981.